

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FOAM SUPPLIES, INC.,

Plaintiff,

v.

CORNING DATA INTERNATIONAL, INC.,

Defendant.

Case No. 4:24CV706 JAR

MEMORANDUM AND ORDER

On May 20, 2024, Defendant filed its Notice of Removal and Motion to Transfer Case to United States District Court for the District of Minnesota. ECF Nos. 1 and 6. Plaintiff filed its response in opposition, and Defendant replied to Plaintiff's response. Plaintiff now requests leave to file a sur-reply brief or for the Court to set the matter for oral argument. ECF No. 25. Defendant opposes Plaintiff's request. ECF No. 26.

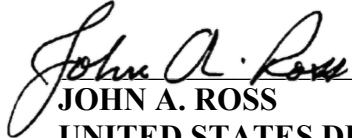
Under this District's Local Rules, after the moving party files a reply memorandum, "additional memoranda may be filed by either party only with leave of Court." E.D. Mo. L.R. 4.01(C). The admission of additional memoranda is within the Court's discretion. *Whitlock-Kincade v. U.S. Dep't of Def.*, No. 4:06CV00895RWS, 2007 WL 781810, at *2 (E.D. Mo. Mar. 13, 2007) (citing *Stanbury Law Firm v. I.R.S.*, 221 F.3d 1059, 1063 (8th Cir. 2000)). The Court reviewed the sur-reply and finds that both the sur-reply and oral argument will be helpful to the determination of the issues at hand. Therefore, the Court will grant Plaintiff's Motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to File Sur-Reply or, In the Alternative, for Oral Argument [ECF No. 25] is **GRANTED**.

IT IS FURTHER ORDERED that a hearing on Defendant's Motion Transfer Case to United States District Court for the District of Minnesota [ECF No. 6] is scheduled for **Thursday, October 3, 2024, at 11:00 A.M. in Courtroom 12N.**

Dated this 15th day of August, 2024.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE